

# United States Senate

WASHINGTON, DC 20510

March 5, 2013

Mr. Howard Cantor  
Region 8 Acting Administrator  
U.S. Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129

Dear Acting Administrator Cantor:

The Columbia Falls Aluminum Company (CFAC) shuttered production in October 2009 and has not retained a staff of full-time employees to maintain the facility since December 31, 2009. Though we recognized the intermittent nature of the aluminum production there, the length of the current closure doubles any previous shut down since the plant commenced operation in 1955. Over the course of the last three years we have worked with the Bonneville Power Administration and Glencore in an effort to secure a long-term and equitable power contract to restart aluminum production at the CFAC. Unfortunately, due to a number of factors including power and metal market prices, a signed contract has not materialized. Having participated in these negotiations, we are concerned about an indefinite delay in economic opportunities at the smelter site.

The community of Columbia Falls, through its local representatives, is now exploring other options for this 120-acre industrial area, including clean up. We applaud the community's proactive approach to consider all options in the face of this economic tragedy. Due to the nature of the hazardous waste the plant handled, disposed and released on site, it is important to assure that contamination is assessed and remediated and that future leaks of cyanide, zinc, polynuclear aromatic hydrocarbons are contained. Specifically, the Environmental Protection Agency (EPA), in consultation with Montana DEQ should assess the risks posed by the solvent landfills and percolation ponds which received effluent from the smelting operations until they were capped in 1980.

Therefore, we support the community's efforts to explore all options for remediation. Due to the complexity of the site we urge the EPA, in coordination with Montana Department of Environmental Quality, to swiftly commence a site assessment of the CFAC production facilities and the adjoining areas, including the Cedar Creek drainage, for a listing of the National Priorities List under the Comprehensive Environmental Response, Compensation, & Liability Act (CERCLA), commonly known as Superfund. Due to the economic and environmental impact of this plant to the local community, we urge you to provide us with a timeline of action for analysis to prevent any delay in a process that can be highly time-consuming.

As Superfund laws require, we urge the EPA, in consultation with Montana DEQ, to engage in community and stakeholder outreach to determine the necessary areas to analyze as well as to assure that any steps taken in the Superfund process are driven by the needs of local stakeholders.

Thank you for your consideration and we look forward to your swift action.

Sincerely,

  
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Jon Tester  
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Max Baucus

CC: Julie DalSoglio, Director Environmental Protection Agency Montana Operations Office

CC: Tracy Stone-Manning, Acting Director of the Montana Department of Environmental Quality